IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 321 of 2005 (S/S)

Bhim Singh Bora
S/o Sri Bachi Singh Bora

…… Petitioner

Versus

1. State of Uttaranchal.
   through its Secretary
   Department of Technical Education,
   Civil Secretariat, Dehradun.
2. Director Technical Education
   Uttaranchal, Sri Nagar (Garhwal)
3. Principal,
   Govt. Girls Polytechnic, Almora.

…… Respondents

None for the petitioner.
Mr. N.P. Sah, Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J.

None present for the petitioner.

Learned Standing counsel for the State is present.

2) By means of this writ petition, the petitioner has sought his regularization in service on a Class IV post. The petitioner has claimed his regularization on the ground that he had worked for more than 240 days in a calendar year, for several years. The above fact indicates that the petitioner is worker on daily wages.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006 A.I.R.S.C.W. Page 1991,*** that daily wage workers and the persons employed without undergoing regular selection

process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioner.

4) Therefore, the writ petition is dismissed. Interim order dated 29.03.2005, is hereby, vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: November 17, 2006
H.Negi